A Guide to Entitlements for Resident Medical Officers Rotating out of Queensland Health for Training Purposes

1. Introduction

Queensland Health recognises the crucial role Resident Medical Officers (RMOs)* play in providing services to Queensland Health. Queensland Health also recognises that RMOs may need to undertake a period of time outside Queensland Health for education and training to support their career direction. For example, a college program may require a trainee to rotate to a private hospital to gain more experience in a particular specialist field.

When this happens it’s important that, as an RMO, you are aware of which entitlements apply and what you are required to do to access these entitlements. The purpose of this brochure is to provide answers to common questions about entitlements and issues that may arise when taking a period of training outside Queensland Health, and where to find additional information.

This brochure provides general information only and should be read in conjunction with the documents in section 11 – more information is available via the Queensland Health website: www.health.qld.gov.au/hrpolicies.

*Please note that for the purposes of this document a Resident Medical Officer means a medical practitioner appointed as an Intern, a Junior House Officer, a Senior House Officer, a Principal House Officer, a Registrar or a Senior Registrar by Queensland Health.

2. How does Queensland Health determine appropriate entitlements for RMOs?

Queensland Health employment is governed by a range of industrial instruments that provide entitlements to doctors (listed on the back of this brochure). These instruments are important and ensure consistency across Queensland Health.

However, Queensland Health policies cannot bind other employers (e.g. private hospitals, GP’s and other state health departments) to its terms, conditions and entitlements. As an RMO, if you are transferring to another employer and becoming their employee, you should contact your new workplace as soon as possible with any questions that you might have in relation to their terms and conditions of employment.

3. Employment arrangements when you undertake a term outside of Queensland Health

If you are required to undertake a period of training and employment outside of Queensland Health, you may do so under one of three employment arrangements:

- Remain a Queensland Health employee by working under a Vocational Training Agreement (VTA) or a Prevocational General Practice Placement Program Agreement (PGPPPA) in a private facility. This requires Queensland Health and the private facility to agree to these arrangements. This is Queensland Health’s preferred option.
- Take leave without pay from Queensland Health. An arrangement for leave without pay may be made with approval from your supervisor.
• Resign from Queensland Health. While this is an option, you should carefully consider the outcomes of resigning before doing so.

When receiving your placements for a term outside of Queensland Health, you should clarify the arrangements under which you will be employed.

**Vocational Training Agreement**

In certain circumstances you can rotate outside of Queensland Health under a Vocational Training Agreement (VTA). The VTA is a contract between Queensland Health, you and the private training provider.

Each VTA and PGPPPA outlines the following:

- the responsibility of all parties in the agreement
- the blocks of time during which you will be released to work in the private setting
- the indemnity arrangements that will apply to you whilst working on approved release to the training provider during the course of your employment
- what will happen to any income the trainee earns for the private setting during paid working.

Under a VTA or PGPPPA, you remain an employee of Queensland Health and are seconded to the training provider to perform the required duties. Queensland Health is usually responsible for all payments to you including payments by way of salary remuneration, commissions, bonuses, holiday pay, long service leave, sick leave, termination pay, redundancy pay, tax superannuation or workers compensation premiums or liabilities (NB these costs may be recovered from the private employer as part of the agreement).

All arrangements must be finalised prior to commencement with the date of the training provider.


**Leave without pay**

When requesting leave without pay, you will be required to complete a leave application form, which will require approval from the appropriate delegate in your current Hospital and Health Service, and provide a submission to payroll outlining the reasons for leave without pay.


If you are on leave without pay your entitlements are temporarily “frozen” for the period you are on leave. Your entitlements can be accessed (where relevant) when you return to Queensland Health, for example if the leave was for a period of less than 12 months.

**Resignation**

When you resign, you are required to notify your supervisor in writing to terminate your employment contract. Notice of resignation takes effect without the need for acceptance. You will also need to ensure that a separation form has been completed.

4. After resigning from Queensland Health, what are my entitlements upon returning after a break of less than 12 months?

Upon returning to Queensland Health after resigning, you are entitled to recognition of your previous service for the following entitlements:

- sick leave accumulation
- long service leave
- paid parental (maternity) leave.

Please note that any recreational leave will have been paid out when you resign and therefore cannot be reinstated.

Recognition of prior service is only applicable to Queensland Health service or service from an employer that is recognised under Directive 10/10.

Further information on Queensland Government Directive 10/10, Recognition of Previous Service can be found on the Public Service Commission website:

When making an application for recognition of previous service, the processes outlined in the Recognition of Previous Service for Long Service and Sick Leave Purposes, Human Resources policy, C55 are to be followed. The policy is available at the following website:

It is your responsibility when applying for recognition of previous service and/or experience for salary and increment purposes to obtain sufficient supporting documentation from your previous employer(s) to support the claim.

To apply for recognition of previous service you are required to fill in a Statement of Service form which can be found at http://qheps.health.qld.gov.au/paris/pdfs/forms/wog_state_service.pdf

5. What if my break in employment is longer than 12 months?

If the break in service is longer than 12 months, the request to approve recognition of prior service, for sick and long service leave purposes, is considered on a case by case basis. The authority to either approve or not approve such requests is exercised by the relevant Hospital and Health Service Chief Executive (or delegate).

6. Am I entitled to the recognition of prior service after termination of employment?

Yes, you are entitled to recognition of prior service for the following entitlements providing that the termination was for reasons other than disciplinary actions and the break in service is less than 12 months:

- sick leave accumulation
- long service leave entitlement
- salary payable (pay point and increment)
- paid parental (maternity) leave.

To apply for recognition of previous service you are required to fill in a Statement of Service form which can be found at http://qheps.health.qld.gov.au/paris/pdfs/forms/wog_state_service.pdf
7. Will I receive recognition of prior service from other government authorities?

Yes, you will receive recognition of prior service from other government authorities providing there is no break in service in excess of 12 months (as outlined in Queensland Government Directive 10/10 – Recognition of Prior Service). This recognition of prior service is for the purposes of the following entitlements:

- sick leave accumulation
- long service leave entitlement (providing the employee has not received a payout for this leave)
- paid parental (maternity) leave.

RMOs should note that service with Mater Health Services Brisbane is recognised for the purposes of sick leave accumulation, long service leave entitlement and paid parental leave.

8. What are the implications for salary sacrificing and superannuation entitlements when training in non-Queensland Health facilities?

Salary sacrificing

Working in a non-Queensland Health facility may affect your salary sacrificing circumstances. While some private hospitals may be eligible for an equivalent FBT concession, this is not always the case. RMOs are advised that they should contact RemServ and seek independent financial advice as soon as possible to discuss all options. These options may include:

- advising RemServ to suspend payments until such time as you commence/return to work in eligible Queensland Health facility/hospital or
- modify your salary packaging arrangements through RemServ or
- continue salary packaging arrangements but only with your acceptance of full responsibility for any resultant FBT liability.

More information regarding salary sacrifice can be found on the Queensland health intranet: [http://qheps.health.qld.gov.au/peopleandculture/salary_sacrifice/salary_sacrifice.htm](http://qheps.health.qld.gov.au/peopleandculture/salary_sacrifice/salary_sacrifice.htm) or RemServ can be contacted on 1300 304 010.

Superannuation

If you are leaving Queensland Health then you should contact QSuper to discuss the impact on superannuation contributions and entitlements, prior to separation from Queensland Health.


9. Who do I contact for more information?

- Manager/Line Supervisor
- Medical administration in your facility
- Facility / Hospital and Health Service/ Human Resources
10. Important points to note

- If you are required by your training program to rotate outside of Queensland Health and Queensland Health is not your nominated employer, Queensland Health does not have the ability to affect employment conditions including payable salary and leave entitlements while on rotation.
- Queensland Health does not have the ability to influence the determinations made by the medical colleges in relation to the rotation locations of its trainees, unless requested by the relevant college.

11. Supporting Documents

- Recognition of Previous Service for Long Service Leave and Sick Leave Purposes, Human Resources Policy, C55.
- Circular ER 38/06.
- Separation of Employment, Human Resources Policy (H1).